

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

ROCIO ADAME ARAUJO DE	)	No. CV-F-02-6527 REC/LJO
AGUILAR, et al.,	)	
	)	ORDER CONTINUING ORAL
	)	ARGUMENT ON MOTIONS FOR
Plaintiff,	)	SUMMARY JUDGMENT
	)	
vs.	)	
	)	
NATIONAL RAILROAD PASSENGER	)	
CORPORATION, et al.,	)	
	)	
	)	
Defendant.	)	
	)	
	)	

Upon due consideration of plaintiffs' request for continuance of the hearing date of motions for summary judgment and defendants' respective oppositions thereto, the court will continue the hearing date of the motions for summary judgment.

Therefore, oral argument on the County of Kern's motion for summary judgment is continued from August 1, 2005 to Monday, September 19, 2005 at 1:30 p.m. Oral argument on Shafter-Wasco Ginning Company's motion for summary judgment is continued from August 15, 2005 to Monday, September 19, 2005 at 1:30 p.m.

1 Plaintiffs' oppositions shall be filed by Monday, August 29,  
2 2005.<sup>1</sup> Defendants' replies, if any, shall be filed by Monday,  
3 September 12, 2005.

4 Counsel for the County of Kern asserts that continuance of  
5 its motion for summary judgment may cause it to incur deposition  
6 expenses that would not have been necessary if the motion had  
7 been heard on the noticed date and resolved in favor of the  
8 County of Kern. The County requests that, should such deposition  
9 expenses have to be incurred because of the continuance, those  
10 expenses be paid by counsel for the opposing plaintiffs. The  
11 court expects that the parties will meet and confer to continue  
12 the dates for the depositions until after the hearing on the  
13 motions for summary judgment. However, because the court cannot  
14 guarantee when rulings on the motions will issue and because  
15 trial is set to commence on November 1, 2005, if these  
16 depositions must proceed in order to be prepared for trial, the  
17 expenses of these depositions shall be paid by plaintiffs  
18 attorneys.

19 IT IS SO ORDERED.

20 **Dated: July 27, 2005**  
668554

**/s/ Robert E. Coyle**  
UNITED STATES DISTRICT JUDGE

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23  
24 <sup>1</sup>Plaintiffs are advised that failure to timely comply with  
25 this order will result in the granting of the respective motion for  
26 summary judgment to which the opposition was due. No further  
continuances of the hearing date will be granted except on request  
of the moving party.